# EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

**DOCKET NO.:** 2007-0786-MWD-E **TCEQ ID:** RN102314671 and RN102320322

**CASE NO.:** 33503

RESPONDENT NAME: Texas Department of Criminal Justice

| ORDER TYPE:  |   |   |
|--|---|---|
| X_1660 AGREED ORDER  | FINDINGS AGREED ORDER   | FINDINGS ORDER FOLLOWING<br>SOAH HEARING  |
| FINDINGS DEFAULT ORDER   | _SHUTDOWN ORDER   | IMMINENT AND SUBSTANTIAL<br>ENDANGERMENT ORDER  |
| _AMENDED ORDER   | _EMERGENCY ORDER  |   |
| CASE TYPE:   |   |   |
| AIR  | MULTI-MEDIA (check all that apply)  | INDUSTRIAL AND HAZARDOUS<br>WASTE   |
| PUBLIC WATER SUPPLY .  | PETROLEUM STORAGE TANKS   | OCCUPATIONAL CERTIFICATION  |
| X WATER QUALITY  | SEWAGE SLUDGE   | UNDERGROUND INJECTION CONTROL   |
| MUNICIPAL SOLID WASTE  | RADIOACTIVE WASTE   | DRY CLEANER REGISTRATION  |
| feet north of the intersection of U.S. Highwa ("Facility 2")  TYPE OF OPERATION: Wastewater treat  SMALL BUSINESS:YesX  OTHER SIGNIFICANT MATTERS: The these facility locations.  INTERESTED PARTIES: No one other the COMMENTS RECEIVED: The Texas Region Contacts and Mailing List:  TCEQ Attorney/SEP Coordinates TCEQ Enforcement Coordinates David Van Soest, Enforcement Di Respondent: Mr. Frank Inmon, D Texas 77432-4011  Mr. Charles Marsh, Chief Financia | No  are are no complaints. There is no record of addition than the ED and the Respondent has expressed an integrister comment period expired on September 24, 200  or: Ms. Melissa Keller, SEP Coordinator, Enforcemer: Mr. Craig Fleming, Enforcement Division, Enforcement. | rest of Sugar Land, Fort Bend County  all pending enforcement actions regarding  erest in this matter.  O7. No comments were received.  ent Division, MC 219, (512) 239-1768  ement Team 3, MC 149, (512) 239-5806; Mr.  iminal Justice, P.O. Box 4011, Huntsville, |

**DOCKET NO.:** 2007-0786-MWD-E

#### **VIOLATION SUMMARY CHART:** CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$14,365 **Corrective Actions Taken:** Complaint 1) The Executive Director recognizes that Routine **Total Deferred: \$2,873** Enforcement Follow-up on May 15, 2007, the Respondent submitted X Expedited Settlement to the TCEQ the required parameter data for X Records Review the monitoring period ending April 30, Financial Inability to Pay 2006 for Facility 1. Date(s) of Complaints Relating to this SEP Conditional Offset: \$11,492 Case: None **Ordering Provisions:** Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$0 Case: March 29 and April 25, 2007 2) The Order will require the Respondent to implement and complete a Supplemental Site Compliance History Classification Environmental Project (SEP). (See SEP Date of NOV/NOE Relating to this Case: \_\_ High \_X Average \_\_ Poor Attachment A) May 9, 2007 (NOE) **Person Compliance History Classification** 3) The Order will also require the Background Facts: These were routine \_\_ High \_X\_ Average \_\_ Poor Respondent to, within 60 days after the record reviews. Three violations were effective date of this Agreed Order, submit documented. Major Source: Yes X No written certification of compliance with effluent limits of TPDES Permit No. WATER Applicable Penalty Policy: September 2002 WQ0011475001 and TPDES Permit No. WQ0011475003. The certification shall 1) Failed to comply with the permitted include detailed supporting documentation effluent limits for Facility 1 [30 Tex. including receipts, and/or other records to ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a), and Texas Pollutant demonstrate compliance. Discharge Elimination System ("TPDES") Permit No. WQ0011475001, Effluent Limitations and Monitoring Requirements Nos. 2 and 6 for Outfall 001A]. 2) Failed to submit the parameter data on the Discharge Monitoring Report for the pH minimum and maximum standard units, Total Suspended Solids daily average and maximum single grab and Ammonia Nitrogen daily average for the monitoring period ending April 30, 2006 for Facility 1 [30 Tex. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0011475001, Monitoring and Reporting Requirements No. 1 for Outfall 001A]. 3) Failed to comply with the permitted effluent limits for Facility 2 [30 Tex. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a), and TPDES Permit No. WQ0011475003, Effluent Limitations and Monitoring Requirements Nos. 1, 2, 3 and 6 for Outfall 001A].

# Attachment A Docket Number: 2007-0786-MWD-E

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

Texas Department of Criminal Justice

Payable Penalty Amount: Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492)

SEP Amount: Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development

Areas, Inc. ("RC&D")-Abandoned Tire Clean-Up

**Location of SEP:** Fort Bend County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

#### 1. Project Description

**Respondent:** 

#### A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to clean-up sites where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

#### B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

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Texas Department of Criminal Justice Agreed Order - Attachment A

#### C. <u>Minimum Expenditure</u>

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc. 1716 Briarcrest Drive, Suite 510 Bryan, Texas 77802-2700

#### 3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

#### 4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Financial Administration Division, Revenues Attention: Cashier, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

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Texas Department of Criminal Justice Agreed Order – Attachment A

#### 5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

#### 6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

### 7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

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|                    |                                       | Penalty Calculation   | n Worksheet (P                  | CW)                                   |  |
|--------------------|---------------------------------------|---|---------------------------------|---------------------------------------|--|
| at the second      | Policy Revision 2 (Sep                | •   | `                               | •                                     | n April 26, 2007   |
| TCEC               | 3                                     |   |                                 |                                       |  |
| DATE               | · · · · · · · · · · · · · · · · · · · | 14-May-2007   |                                 | 1                                     |  |
| L                  | PCW                                   | 16-May-2007 <b>Screening</b> 16-May-2007                                | EPA Due                         |                                       |  |
| DESI               | PONDENT/FACILITY                      | INFORMATION   | CTHORN                          | · · · · · · · · · · · · · · · · · · · |  |
| IVEO               |                                       | Texas Department of Criminal Justice                                    | Jester Uni                      | t 3                                   | Mistary  |
|                    | Reg. Ent. Ref. No.                    | RN102314671   |                                 |                                       | ·  |
|                    | Facility/Site Region                  | 12-Houston  | Major/Minor Source              | Minor                                 |  |
| 0.4.01             | E INCODMATION                         |   |                                 |                                       |  |
| CASI               | E INFORMATION<br>Enf./Case ID No.     | 33503   | No. of Violations               | 1                                     | 7  |
|                    | Docket No.                            | 2007-0786-MWD-E   | Order Type                      |                                       |  |
|                    | Media Program(s)                      | Water Quality   | Enf. Coordinator                | Cari-Michel La Caille                 |  |
|                    | Multi-Media                           |   |                                 | Enforcement Team 3                    |  |
|                    | Admin. Penalty \$                     | Limit Minimum \$0 Maximum   | \$10,000                        |                                       | j  |
|                    |                                       | Danalty Calcula   | tion Section                    | - April                               |  |
|                    |                                       | Penalty Calcula   |                                 |                                       |  |
| TOT                | TAL BASE PENAI                        | TY (Sum of violation base penaltie                                      | es)                             | Subtotal 1                            | \$4,000  |
| A D                | HIGTMENTS (±/ )                       | TO SUPTOTAL 1   |                                 |                                       |  |
| ADJ                | Subtotals 2-7 are obta                | TO SUBTOTAL 1 ned by multiplying the Total Base Penalty (Subtotal 1) by | the indicated percentage.       |                                       |  |
|                    | Compliance Hist                       | ory 167%  | Enhancement Subt                | otals 2, 3, & 7                       | \$6,680  |
|                    |                                       | A 167% enhancement is recommended for                                   |                                 |                                       |  |
|                    | Notes                                 | reported effluent data violations, one No                               |                                 |                                       |  |
| TALL STATE OF TALL | 110100                                | violation and one NOV without a same of si                              | milar violation within the last |                                       | •  |
| -                  |                                       | five years.   |                                 | ]                                     | C CAMA   |
|                    | Culpability                           | No 0%   | Enhancement                     | Subtotal 4                            | \$0  |
|                    |                                       | TI D  |                                 |                                       | project of the first of the fir |
|                    | Notes                                 | The Respondent does not meet the  | e culpability criteria.         |                                       | date co-out  |
|                    |                                       |   |                                 | Cutto to LE                           | \$0  |
|                    | Good Faith Effor                      | t to Comply 0%  Before NOV NOV to EDPRP/Settlement Offer                | Reduction                       | Subtotal 5                            | Ψ0   |
|                    | Extraordinary                         |   |                                 |                                       | or will make the control of the cont |
|                    | Ordinary                              |   |                                 |                                       |  |
|                    | N/A                                   | X (mark with x)   |                                 | 7                                     | and one of the control of the contro |
|                    | Notes                                 | The Respondent does not meet the  | e good faith criteria           |                                       |  |
|                    | Notes                                 | The Respondent does not most an   | - good (d.t.) oo                |                                       |  |
|                    |                                       | 0%  | Enhancement*                    | Subtotal 6                            | \$0  |
|                    |                                       |   | d at the Total EB \$ Amount     |                                       | · ·  |
|                    | Approx                                | Cost of Compliance \$2,000  |                                 |                                       |  |
| 0111               | M OF CURTOTAL                         | 0.4.7   |                                 | Final Subtatal                        | \$10,680   |
| 501                | M OF SUBTOTAL                         | .51-7   | •                               | Final Subtotal                        | Ψ10,000  |
| ОТІ                | HER EACTORS A                         | S JUSTICE MAY REQUIRE   | -10%                            | Adjustment                            | -\$1,120   |
| Redu               | ces or enhances the Final             | Subtotal by the indicated percentage. (Enter number onl                 |                                 | _                                     |  |
|                    |                                       | Recommended reduction in the penalty                                    |                                 |                                       |  |
|                    | Notes                                 | reported effluent violations do not overly-im                           |                                 | li l                                  |  |
|                    | Notes                                 | to prevent double-enhancement of the                                    |                                 |                                       |  |
|                    |                                       | violations that were not se   |                                 | Janelty Amount                        | \$9,560  |
|                    |                                       | •   | Finai Pe                        | enalty Amount                         | φ9,500   |
| ет                 | ATUTORY LIMIT                         | AD.IIISTMENT  | Final Ass                       | essed Penalty                         | \$9,560  |
| 317                | SIGIONI LIMIT.                        | - 10000 Fillimit I  | 7 11.4.7100                     |                                       |  |
| DE                 | FERRAL                                |   | 20% Reduction                   | Adjustment                            | -\$1,912   |
| Redu               | ices the Final Assessed Pe            | nalty by the indicted percentage. (Enter number only; e.                |                                 | - L                                   |  |
|                    |                                       |   |                                 |                                       |  |
|                    | Notes                                 | Deferral offered for expedite   | ed settlement.                  |                                       |  |
|                    |                                       |   |                                 |                                       |  |

PAYABLE PENALTY

\$7,648

Screening Date 16-May-2007

**Docket No.** 2007-0786-MWD-E

PCW

Respondent Texas Department of Criminal Justice

Case ID No. 33503 Reg. Ent. Reference No. RN102314671

Media [Statute] Water Quality Enf. Coordinator Carl-Michel La Caille Policy Revision 2 (September 2002) PCW Revision April 26, 2007

**Compliance History Worksheet** 

| Component   | Number of   | Enter Number Here                                       | Adjust.                                    |        |
|---|---|---|--|--------|
| NOVs  | Written NOVs with same or similar violations as those in the current enforcement ac (number of NOVs meeting criteria)   | tion 33   | 165%                                       | lesí   |
|   | Other written NOVs  | 1   | 2%.  |        |
|   | Any agreed final enforcement orders containing a denial of liability (number of orderenting criteria)   | lers 0  | 0%   |        |
| Orders  | Any adjudicated final enforcement orders, agreed final enforcement orders without a do of liability, or default orders of this state or the federal government, or any final prohib emergency orders issued by the commission |   | 0%   |        |
| Judgments   | Any non-adjudicated final court judgments or consent decrees containing a denial of lial of this state or the federal government (number of judgements or consent decrees mee criteria)                                       |   | 0%   | 1 4    |
| and Consent<br>Decrees  | Any adjudicated final court judgments and default judgments, or non-adjudicated final of judgments or consent decrees without a denial of liability, of this state or the fee government                                      |   | 0%   | fat iz |
| Convictions   | Any criminal convictions of this state or the federal government (number of counts)   | 0   | 0%   |        |
| Emissions   | Chronic excessive emissions events (number of events)   | 0   | 0%   |        |
| Audits  | Letters notifying the executive director of an intended audit conducted under the Te<br>Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number<br>audits for which notices were submitted)     |   | 0%   |        |
| Addition of the second of the | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privi<br>Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )  |   | 0%   |        |
| <u></u>   |   | Please Enter Yes or No                                  | 1  |        |
|   | Environmental management systems in place for one year or more  | No.   | 0%   |        |
| Other   | Voluntary on-site compliance assessments conducted by the executive director undespecial assistance program   | era<br>No   | 0%   |        |
|   | Participation in a voluntary pollution reduction program  | No  | 0%   |        |
|   | Early compliance with, or offer of a product that meets future state or federal governmental requirements   | nent No   | 0%   |        |
|   | Adjustme  | nt Percentage (S  | ubtotal 2)                                 | 16     |
| eat Violator (Su  | btofal 3)   | Mederalis (* 15. j.)<br>Vieda esta esta esta (* 15. j.) |  |        |
| No  | Adjustme  | nt Percentage (S  | ubtotal 3) [                               | 0      |
| pliance History   | Person Classification (Subtotal 7)  | anshanin kanoriya islah                                 | garser all anen ega<br>La tarren erren ega |        |
| Average Po  | erformer Adjustme.  | nt Percentage (S  | ubtotal 7) [                               | 0      |
| pliance History   | Summary   |   |  |        |
| Compliance<br>History<br>Notes  | A 167% enhancement is recommended for having 32 NOVs for self-reported effluent d<br>NOV for a same or similar violation and one NOV without a same or similar violation w<br>years.  |   |  |        |
|   |   |   | 7  |        |

| Screening Date   | 16-May-2007  | Docket No. 2007-078  | 6-MWD-E   | PCW  |
|--|--|--|---|--|
| Respondent   | Texas Department of Criminal Justin  | ce J   | es Policy R   | evision 2 (September 2002)   |
| Case ID No.  |  |  | P   | CW Revision April 26, 2007   |
| Reg. Ent. Reference No.  |  |  |   | 2000000  |
| Media [Statute]  |  |  |   | **   |
|  | Cari-Michel La Caille  |  |   |  |
| Violation Number   |  | and Tay Water Code \$ 26   | 121(a) TDDEC Dormit                                   | avvovvamnam  |
| Rule Cite(s)   | No. WQ0011475003, Ellident Lin   | , and Tex. Water Code § 26<br>itations and Monitoring Req<br>d 6 for Outfall 001A  | uirements Nos. 1, 2, 3                                |  |
| Violation Description  | Failed to comply with the permit<br>review conducted on April 25   | ed effluent limits as docume<br>5, 2007. See attached efflue   | ented during a record<br>nt violation table.          |  |
|  |  |  | Base Penalty  | \$10,000   |
| >> Environmental, Property :   | and Human Health Matrix  |  | r Maria<br>Na parterio di ma                          | MINISTER CONTRACTOR CO |
| >> Environmental, i Toperty  | Harm   | ALSO SEEDING S | EANINET PLES ON PROSESSE                              | Orașa Institutul (SAA)   |
| Release  |  | or   |   | www.company  |
| OR Actua<br>Potentia   |  | Percent  | 10%   | ZZ COMMISSION PROPERTY AND A STATE OF THE ST |
| >- Programmatic Matrix   |  | A STATE OF THE STA |   | Vocamabili (vidila)  |
| >>Programmatic Matrix Falsification  | Major Moderate Min   | or   |   | wearuppeara  |
| 40.5   |  | Percent  | 0%  | Gregoria de Companyo de Compan |
| ASSESSED TO SECURITY OF THE PROPERTY OF THE PR | -1   |  |   | π  |
| Matrix<br>Notes Human hea<br>not exceed  | Ith or the environment has been exp<br>levels that are protective of human l<br>vio  | osed to insignificant amount<br>nealth or environmental rece<br>lation.  | s of pollutants which do<br>eptors as a result of the | The state of the s |
|  |  |  |   | Ī.   |
|  | The second secon | Adjustme   | nt \$9,000  |  |
|  |  |  |   | \$1,000  |
|  |  |  |   | Ψ1,000   |
| Violation Events   |  | Sept. The september of  |   | A DESIGNATION OF THE PROPERTY  |
| \$4.447.860000005.248904.64973111.141734.14.14.14.14.14.14.14.14.14.14.14.14.14  | 2 (2 (v. 6); SP #888832404 2 X 2 (v. 2023805) 11 (100000 10 (10000 |  |   | mhagocoatnistic  |
| Number of V  | iolation Events 4  | 304 Number   | of violation days                                     |  |
| Academic Control of Co | 20000000   |  |   | UNITED AND A   |
| tionsomer reference  | daily  |  |   | ammacooooo   |
| mark only one  |  |  | Violation Base Penalty                                | \$4,000  |
| with an x  | semiannual   |  | _   | -  |
|  | annual   |  |   | www.communication  |
|  | single event   |  |   | VALLEDENVACOOR   |
|  |  |  |   | 7  |
|  | Four quarterly eve   | nts are recommended.   |   |  |
| Economic Benefit (EB) for the  | nis violation  | Statut   | ory Limit Test  |  |
| \$4000000000000000000000000000000000000  | ed EB Amount   | \$188 Viola  | ition Final Penalty Tota                              | \$9,560  |
|  | TL::-  | otion Final Accessed Pane  | alty (adjusted for limite                             | \$9,560  |
|  | inis Vio   | ation Final Assessed Pena  | any (aujusteu foi millits                             |  |

| Case ID No   |  | ent of Criminal Jus  |                                  | 77. 7. 7. 7. 7.                                   | Sheet<br>Jester Unit 3   |  |  |
|--|--|--|----------------------------------|---|--|--|--|
| Reg. Ent. Reference No   |  |  |                                  |   |  | to a contract of the   |  |
| 그 그 그 그 목표를 하는 것이 되었다. 사람들은 사람들은 사람들은 그를 위한 점점하였다.   | Water Quality                          |  |                                  |   | 100 100 100 100  | 521/06/84104-2-54/65   | Years of   |
| Violation No   | P2                                     |  |                                  |   |  | Percent Interest   | Depreciation   |
| Violation No   | i <b>s 1</b><br>Part – turiseriesinist |  | er in the telephonesis           |   | nice to comprehension assets   |  | TTT 40 400 CLASSES   |
|  |  | eri de tempe Sintradijos.  |                                  |   | AMANA BUMBARATAN   | 5.0  | 15   |
| 100-014-03-00  | Item Cost                              | Date Required  | Final Date                       | Yrs   | Interest Saved   | Onetime Costs  | , EB Amount  |
| Item Description   | n No commas or \$                      | n service  | New York                         |   |  | ร์ รีเลยได้เปล่าสะบบและได้   | 발 그 원이   |
| 1 1700 1 2000 2000   | ananes e na e nasembro                 |  |                                  | *************                                     | the same of the sa |  |  |
| Delayed Costs  | r ov combasti tronkriror               | Eta a alembra  | ระบาร์ เป็นของสุดเติดใช้<br>พ.ศ. | ng path (sahija)                                  |  |  |  |
| Equipment  |  |  | etarografia vitaron do to de     | 0.0   | \$0  | \$0  | \$0  |
| Buildings  |  | The second secon |                                  | 0.0   | \$0  | \$0  | \$0  |
| Other (as needed)  |  |  |                                  | 0.0   | \$0  | \$0  | \$0  |
| Engineering/construction   | Tomas dans Salata                      |  | - C. S. C. Sanda L. A.           | 0.0   | \$0  | \$0  | \$0  |
| Land   | 7.00.00                                |  |                                  | 0.0   | \$0  | ⊩n/a   | \$0  |
| Record Keeping System  |  |  |                                  | 0.0   | \$0  | n/a  | \$0  |
| Training/Sampling  |  |  |                                  | 0.0   | \$0  | n/a  | \$0  |
| Remediation/Disposal   |  |  | on the development of the second | 0,0   | \$0  | n/a  | \$0  |
| Permit Costs   |  |  | النود فطفار والمتعالي والم       | 0.0   | \$0  | n/a  | \$0  |
| Other (as needed)  | \$2,000                                | 28-Feb-2006  | 16-Jan-2008                      | 1.9   | \$188  | n/a  | \$188  |
| Notes for DELAYED and  |  |  |                                  |   |  | ave reduced or alle  |  |
| Notes for DELAYED costs  Avoided Costs   | exceedances                            | , Date required is th  | ne date the nonco                | mplianc   | e started and the f  | inal date is the date  | of compliance  |
| Notes for DELAYED costs  Avoided Costs  Disposal   | exceedances                            | , Date required is th  | ne date the nonco                | mpliand   | e started and the f  Item (except for \$0  | one-time avoided one-ti | of compliance<br>costs)  |
| Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  | exceedances                            | , Date required is th  | ne date the nonco                | ntering   | e started and the f  item (except for \$0 \$0  | one-time avoided of \$0.000  | costs) \$0 \$0   |
| Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling   | exceedances                            | , Date required is th  | ne date the nonco                | ntering 0.0 0.0 0.0                               | e started and the f  | one-time avoided of \$0.00000000000000000000000000000000000  | costs) \$0 \$0 \$0   |
| Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/equipment   | exceedances                            | , Date required is th  | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0             | e started and the filter (except for \$0 \$0 \$0 \$0 \$0   | one-time avoided of \$0'  \text{\$0'}  \$0'  | of compliance  costs)  \$0  \$0  \$0  \$0                      |
| Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]                                    | exceedances                            | , Date required is th  | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0       | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance  sosts)  \$0  \$0  \$0  \$0  \$0  \$0            |
| Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                    | exceedances                            | , Date required is th  | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]   | exceedances                            | , Date required is th  | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0       | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance  sosts)  \$0  \$0  \$0  \$0  \$0  \$0            |
| Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                    | exceedances                            | Date required is the state of t | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)                | exceedances                            | Date required is the state of t | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                    | exceedances                            | Date required is the state of t | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)                | exceedances                            | Date required is the state of t | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)                | exceedances                            | Date required is the UALIZE [1] avoided [1]  | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |
| Avoided Costs  Avoided Costs  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | exceedances                            | Date required is the state of t | ne date the nonco                | ntering   0.0   0.0   0.0   0.0   0.0   0.0   0.0 | e started and the f  | inal date is the date  one-time avoided of \$0'  | of compliance<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0<br>\$0 |

## **Compliance History**

Rating: 2.66 CN601550650 Texas Department of Criminal Justice Classification: AVERAGE Customer/Respondent/Owner-Operator: RN102314671 TDCJ JESTER 3 UNIT Classification: AVERAGE Site Rating: 1.64 Regulated Entity: ID Number(s): WQ0011475003 WASTEWATER **PERMIT** WASTEWATER **PERMIT** TX0089036 TX0089036 WASTEWATER **EPA ID** AIR NEW SOURCE PERMITS ACCOUNT NUMBER FG0590V AIR NEW SOURCE PERMITS **PERMIT** 53645 42812 AIR NEW SOURCE PERMITS **PERMIT** WQ0011475003 WASTEWATER LICENSING **LICENSE** Rating Date: 9/1/2006 Repeat Violator: NO LOCATED WITHIN THE BEAUFORD H. JESTER STATE Location: PRISON FARM PROPERTY, APPROX. 8000 FT N OF THE INTERSECTION OF US HWY 90A AND HARLEM RD, APPROX. 5 MILES WEST OF SUGAR LAND IN FORT **BEND COUNTY** TCEQ Region: **REGION 12 - HOUSTON** Date Compliance History Prepared: May 14, 2007 Agency Decision Requiring Compliance History: Enforcement Compliance Period: May 14, 2002 to May 14, 2007 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History 512-239-1387 Name: Cari-Michel La Caille Phone: **Site Compliance History Components** 1. Has the site been in existence and/or operation for the full five year compliance period? Yes 2. Has there been a (known) change in ownership of the site during the compliance period? No N/A 3. If Yes, who is the current owner? 4. if Yes, who was/were the prior owner(s)? N/A N/A 5. When did the change(s) in ownership occur? Components (Multimedia) for the Site: Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. A. N/A В. Any criminal convictions of the state of Texas and the federal government. Chronic excessive emissions events. C. N/A The approval dates of investigations. (CCEDS Inv. Track. No.) D. 1 06/04/2002 (211346)2 07/05/2002 (211349)3 07/30/2002 (211352)4 08/28/2002 (211355)5 11/15/2002 (211360)6 12/04/2002 (211364)7 01/02/2003 (211367)8 03/10/2003 (211372)

9 03/25/2003

10 04/23/2003

11 05/28/2003

12 05/29/2003

13 05/29/2003

14 05/29/2003

15 09/25/2003

16 10/03/2003

17 10/07/2003 18 11/20/2003 (317850)

(33875)

(317851)

(317849)

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(317859)
19 12/11/2003
20 01/26/2004
                   (317860)
21 03/02/2004
                   (317861)
22 07/15/2004
                   (361578)
23 08/11/2004
                   (361579)
24 08/19/2004
                   (361580)
25 08/25/2004
                   (361583)
26 09/03/2004
                   (361581)
27 10/21/2004
                   (361582)
28 04/07/2005
                   (425007)
29 04/07/2005
                   (425008)
30 04/07/2005
                   (425009)
31 05/12/2005
                   (425004)
32 05/31/2005
                   (425003)
33 05/31/2005
                   (425010)
34 06/10/2005
                   (425005)
35 06/16/2005
                   (425006)
36 08/30/2005
                   (418583)
                   (445632)
37 09/30/2005
38 10/10/2005
                   (477325)
39 10/11/2005
                   (445633)
40 10/31/2005
                   (477326)
41 11/04/2005
                   (477327)
42 11/15/2005
                   (436567)
43 11/15/2005
                   (436623)
44 12/01/2005
                   (477328)
45 01/06/2006
                   (477329)
46 02/10/2006
                   (477330)
47 03/14/2006
                   (477324)
48 04/19/2006
                   (503997)
49 05/18/2006
                   (503998)
50 06/12/2006
                   (503999)
51 08/11/2006
                   (526364)
52 08/16/2006
                   (526365)
53 08/28/2006
                   (526366)
54
   10/20/2006
                   (550584)
   11/06/2006
                   (550585)
55
56 12/01/2006
                    (550586)
                    (550587)
57
   12/29/2006
58 05/09/2007
                    (558177)
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#### Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

Date 05/31/2002

Self Report?

Citation:

Citation:

Citation:

Citation:

(211349)

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 06/30/2002 (211352)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 07/31/2002 (211355)

Self Report?

Classification

Classification

Classification

Moderate

Moderate

Moderate

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 09/30/2002 (211360)

Classification

Moderate

Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 10/31/2002 (211364)

Classification Moderate Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

e and each

min in light of Bullion, we build to Support by the Bullion Const. Description: Failure to meet the limit for one or more permit parameter

Date 11/30/2002 (211367)

Classification YES Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 12/31/2002 (211372)

Self Report? Classification Moderate

Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description: Date 01/31/2003 (317849)

Classification Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

(317851)Date 02/28/2003

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 03/31/2003 (317852)

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 04/22/2003 (33875)

Classification Minor Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

Failure to ensure plus or minus 10 % accuracy with the flow recording instrument. Description:

Date 04/30/2003 (317853)

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 06/30/2003 (317854)

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 07/31/2003 (317855)

Classification Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 05/31/2004 (361581)

Self Report? Classification Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

(425010)Date 12/31/2004

Self Report? Classification Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 01/31/2005 (425003)

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter

Description:

Date 02/28/2005 (425004)

Classification Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Date 03/31/2005 (425005)

A CONTRACTOR OF THE STATE OF TH

Moderate Self Report? Classification

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 05/31/2005

(445632)

Self Report?

Citation:

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date 06/30/2005

(477325)

Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 07/31/2005 (445633)

Self Report?

Classification Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

(418583)Date 08/30/2005

Self Report? NO

Citation:

Classification Minor

Classification

Classification

Moderate

Moderate

30 TAC Chapter 305, SubChapter F 305.125(5)

30 TAC Chapter 317 317.4(g)(4)(B)[G]

Description:

Failure to provide operational back up blower.

Self Report? NO Classification Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to maintain compliance with permitted effluent limits.

Self Report? NO Classification Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1) Failure to collect the correct sample type.

Description: Date 12/31/2005

(477330)

Self Report?

Classification Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Self Report?

Citation:

Failure to meet the limit for one or more permit parameter

Date 02/28/2006

(503997)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter

04/30/2006 Date

(503999)

Self Report?

Classification

Classification

Moderate -

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Date 05/31/2006

Failure to meet the limit for one or more permit parameter

(526364)

Self Report?

Classification

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Date 07/31/2006 Failure to meet the limit for one or more permit parameter

(526366)

Self Report?

Classification

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G] Description:

Failure to meet the limit for one or more permit parameter

Date 08/31/2006 (550584)

Self Report? YES Classification

Moderate

Citation:

Description:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Date 09/30/2006

Failure to meet the limit for one or more permit parameter (550585)

Self Report? YES Classification Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 10/31/2006

(550586)

t to the second of the second

Self Report? YES Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

(550587)Date 11/30/2006

Classification Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 12/31/2006

Classification Moderate Self Report?

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter

Description:

Date 01/31/2007

Classification Moderate Self Report? YES

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter Description:

F. Environmental audits

N/A

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. Н.

Participation in a voluntary pollution reduction program. am.

N/A

Early compliance. J.

Sites Outside of Texas

N/A

• •

# Effluent Violation Table Texas Department of Criminal Justice Jester Unit 3 TPDES Permit No. WQ0011475003

| Permitted   |          | Monitoring Period End Date |          |          |              |              |          |                                       |          |          |  |
|---|----------|----------------------------|----------|----------|--------------|--------------|----------|---------------------------------------|----------|----------|--|
|   |          |                            |          | 1        | VIOIIIOIIIIE | , I cilou En | lu Daic  | <del>-</del>                          |          |          |  |
| Effluent Limits Outfall 001A                      | 02/28/06 | 04/30/06                   | 05/31/06 | 07/31/06 | 08/31/06     | 09/30/06     | 10/31/06 | 11/30/06                              | 12/31/06 | 01/31/07 |  |
| DO<br>6.0 Min.<br>mg/L                            | С        | C                          | C        | 4.0      | 5.6          | C            | С        | С                                     | C        | 5.9      |  |
| <b>pH</b><br>9.0 Max.<br>SU                       | С        | С                          | С        | С        | C            | C            | 9.7      | C                                     | С        | С        |  |
| TSS Daily<br>Avg. 15<br>mg/L                      | С        | 21.75                      | · C      | C        | C.           | C            | С        | C                                     | С        | С        |  |
| Total<br>Residual<br>Chlorine<br>1.0 Min.<br>mg/L | С        | 0.8                        | 0.5      | С        | 0.0          | 0.8          | <b>C</b> | · · · · · · · · · · · · · · · · · · · | C        | C        |  |
| Total<br>Residual<br>Chlorine<br>4.0 Max.<br>mg/L | 5.9      | С                          | С        | C        | C            | C            | С        | 5.0                                   | 5.4      | С        |  |

| SU= Standard Units          | TSS=Total Suspended Solids | DO = Dissolved Oxygen |
|-----------------------------|----------------------------|-----------------------|
| mg/L = Milligrams per liter | C= Compliant               |                       |

entre de l'action (1.50), de la company de l

|                             | Policy Revision 2 (Sep   | Penalty Calculatio   | n Worksheet (P   | •                     | on April 26, 2007  |
|-----------------------------|--------------------------|--|--|-----------------------|--|
| TCFO                        |                          |  |  |                       |  |
| DATE                        | S Assigned               | 14-May-2007  |  |                       |  |
|                             | PCW                      | 16-May-2007 Screening 16-May-2007  | EPA Due  |                       |  |
|                             |                          |  |  |                       |  |
| RESP                        | ONDENT/FACILITY          |  |  |                       | _  |
|                             |                          | Texas Department of Criminal Justice   | Jester Unit  | t 1                   |  |
|                             | Reg. Ent. Ref. No.       | RN102320322  |  |                       |  |
| F                           | acility/Site Region      | 12-Houston   | Major/Minor Source   | Minor                 |  |
|                             |                          |  |  |                       | P.   |
| CASE                        | INFORMATION              |  |  |                       |  |
|                             | Enf./Case ID No.         | 33503  | No. of Violations  |                       |  |
|                             |                          | 2007-0786-MWD-E  | Order Type   |                       | _  |
|                             | Media Program(s)         | Water Quality  |  | Cari-Michel La Caille |  |
|                             | Multi-Media              |  |  | Enforcement Team 3    | and the state of t |
| yannya <b>ny</b> (100 hain) | Admin. Penalty \$        | Limit Minimum \$0 Maximum  | \$10,000   |                       |  |
|                             |                          |  |  |                       |  |
|                             |                          | Penalty Calcula  | ation Section  |                       | TARTO CARA   |
|                             |                          |  |  |                       | £2.400   |
| TOT                         | AL BASE PENAI            | _TY (Sum of violation base penaltie  |  | Subtotal 1            | \$3,100  |
|                             |                          |  |  | No.                   |  |
| ADJU                        | JSTMENTS (+/-)           | TO SUBTOTAL 1  |  |                       |  |
|                             |                          | ined by multiplying the Total Base Penalty (Subtotal 1) by   |  | otala 2 2 8 7         | \$1,860  |
|                             | Compliance Hist          |  |  | otals 2, 3, & 7       | \$ 1,000   |
|                             |                          | A 60% enhancement is recommended fo  |  |                       | and the second   |
|                             | Notes                    | •  |  |                       | 4  |
|                             |                          | violation within the last fi   | ive years.   | ]                     | - Annie - Anni |
|                             | Culpability              | No 0%  | Enhancement  | Subtotal 4            | \$0  |
|                             | Odipability              | 110  | ,  | 1                     | -  |
|                             | Notes                    | The Respondent does not meet the   | e culpability criteria.  |                       |  |
|                             |                          |  |  | ]                     |  |
|                             |                          | 11.0   | 2010   | Cubtatal E            | \$0  |
| 1                           | Good Faith Effor         |  | Reduction  | Subtotal 5            | Ψ0   |
|                             |                          | Before NOV NOV to EDPRP/Settlement Offer   |  |                       | 30   |
|                             | Extraordinary            |  |  |                       | West of the second   |
|                             | Ordinary                 |  |  |                       |  |
|                             | N/A                      | X (mark with x)  | 1.883  | 7                     |  |
|                             | Notes                    | The Respondent does not meet th  | e good faith criteria.   |                       |  |
|                             | Notes                    | The Respondent deed not meet a.  | - geometric  |                       | # manual  |
|                             |                          |  |  | -                     | <b>**</b>  |
|                             |                          | The state of the s | Enhancement*   | Subtotal 6            | \$0  |
|                             | Approx                   | T  | d at the Total EB \$ Amount  |                       |  |
|                             | Approx                   | Cost of Compliance \$2,250   |  |                       |  |
| CLIM                        | LOF CURTOTAL             |  | 的数据 医眼神经炎  | Final Subtotal        | \$4,960  |
| SUIN                        | OF SUBTOTAL              |  |  | Illai Sublotai        | Ψ-1,000  |
|                             |                          |  |  |                       | 6455   |
|                             |                          | S JUSTICE MAY REQUIRE  | -3%  | Adjustment            | -\$155   |
| Reduce                      | es or enhances the Final | Subtotal by the indicated percentage. (Enter number on   | ly; e.g30 for -30%.)   | 7                     | and the state of t |
|                             |                          | Recommended reduction in the penalty   | so that the monthly self-  |                       |  |
|                             | Notes                    | reported effluent violations do not overly-  | impact the penalty amount.   |                       | ***************************************  |
|                             |                          | ,  |  | <u> </u>              | <b>*</b> 4.005   |
|                             |                          |  | Final Pe   | nalty Amount          | \$4,805  |
|                             |                          |  |  |                       |  |
| STA                         | TUTORY LIMIT             | ADJUSTMENT   | Final Ass  | essed Penalty         | \$4,805  |
|                             |                          |  |  |                       |  |
| DFF                         | ERRAL                    |  | 20% Reduction  | Adjustment            | -\$961   |
|                             |                          | nalty by the indicted percentage. (Enter number only; e.   | 1  | _                     |  |
|                             |                          |  |  |                       |  |
|                             | Notes                    | Deferral offered for expedite  | ed settlement.   |                       |  |
|                             | 140.00                   |  |  |                       |  |
|                             |                          |  |  | _                     |  |
| DAM                         | ABLE PENALTY             | z 1946.  | The Committee of the Co |                       | \$3,844  |
| MAY                         | ADLE PENALI              | [18] 그 그 사람이 나는 사람들은 사람들은 사람들이 다른 사람들이 되었다.  |  | 1                     | 45,044   |

PAYABLE PENALTY

Screening Date 16-May-2007

Docket No. 2007-0786-MWD-E

PUN

Respondent Texas Department of Criminal Justice

Case ID No. 33503

Policy Revision 2 (September 2002) PCW Revision April 26, 2007

Reg. Ent. Reference No. RN102320322

Media [Statute] Water Quality

Enf. Coordinator Carl-Michel La Caille

**Compliance History Worksheet** 

|      | Component                      | Number of  | nter Number Here                       | Adjust.  |    |
|------|--------------------------------|--|--|--|----|
|      | NOVs                           | Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)  | 12                                     | 60%  |    |
|      |                                | Other written NOVs   | 0                                      | . 0%   |    |
|      |                                | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)   | ō ·                                    | 0%   |    |
|      | Orders                         | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission   | ] sie zwie.<br>Ini.i 2 <b>0</b> alesed | 0%   |    |
|      | Judgments                      | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)   | 0                                      | 0%   |    |
|      | and Consent<br>Decrees         | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  | . O.                                   | 0%   |    |
|      | Convictions                    | Any criminal convictions of this state or the federal government (number of counts)  | 0                                      | 0%   |    |
|      | Emissions                      | Chronic excessive emissions events (number of events)  | 0                                      | 0%   |    |
|      | Audits                         | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  | 0                                      | 0%   |    |
|      |                                | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)   | \$ 0 ·· 1                              | 0%   |    |
|      |                                | Plea   | se Enter Yes or No                     | -  |    |
|      |                                | Environmental management systems in place for one year or more   | No                                     | 0%   |    |
|      | Other                          | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  | No                                     | 0%   |    |
|      | 04101                          | Participation in a voluntary pollution reduction program   | No                                     | 0%   |    |
|      |                                | Early compliance with, or offer of a product that meets future state or federal government environmental requirements  | No                                     | 0%   |    |
|      |                                | Adjustment P   | ercentage (St                          | ıbtotal 2) 🗌   | 60 |
| epea | t Violator (Su                 | btotal 3)  |  |  |    |
|      | No                             | Adjustment P   | ercentage (St                          | ibtotal 3)   | 0  |
| omp  | liance History                 | / Person Classification (Subtotal 7)   | Ladislon                               | 1241-212161  | 10 |
|      | Average P                      | erformer Adjustment P  | ercentage (Sเ                          | ıbtotal 7)   | 09 |
| omp  | liance History                 | Summary International and agreement to concern and an international contract of the second of the se | A to a some                            | <i>V</i> ).  |    |
|      | Compliance<br>History<br>Notes | A 60% enhancement is recommended for having 11 NOVs for self-reported effluent data vio NOV for a same or similar violation within the last five years,  | ations and one                         | The second of th |    |
|      | 110.03                         |  |  |  |    |

| Screening Date                         | • 16-May-2007  | Do   | ocket No. 2007-0786  | 6-MWD-E                                      | PCW  |
|--|--|--|--|--|--|
| <del>-</del>                           | •  | nt of Criminal Justice   | Je   | Polic  | y Revision 2 (September 2002)  |
| Case ID No                             |  |  |  |  | PCW Revision April 26, 2007  |
| Reg. Ent. Reference No                 |  |  |  |  | 40:401404444   |
| Media [Statute                         |  |  |  |  | AN AND AND AND AND AND AND AND AND AND A   |
| Enf. Coordinato                        | p  | aille  |  |  | ADADONINA.   |
| Violation Numbe                        | ·  | 0.1.0005405(4)   | F W-t 01- 8 00   | 404/a) TDDEC Dates                           | <del></del> ]  |
| Rule Cite(s                            |  | Code § 305.125(1), and <sup>-</sup><br>75001, Effluent Limitations<br>for Ou |  |  |  |
| Violation Descriptio                   |  | nply with the permitted effinducted on March 29, 200                         |  |  |  |
|  |  |  |  | Base Pena                                    | lty \$10,000   |
|  |  | TOTAL TRACTOR SECTIONS   | Money common and an arrange  |  |  |
| >> Environmental, Property             | and Human H  | aith Matrix<br>Harm  | and the second s | alette prikktyrosanni                        |  |
| Releas                                 | e Major I  | Moderate Minor   |  |  | 1000   |
| OR Actual Potential                    |  | X  | Percent  | 10%  | ne constitution de la constituti |
| >>Programmatic Matrix                  |  | TENER SAME MERCHANISM OF SAME  | PARKETHERE   |  | AAA  |
| Falsification                          | Major  | Moderate Minor   | DE MARIE CERCIE  |  |  |
|  |  |  | Percent  | 0%   | The state of the s |
|  |  |  | •  |  |  |
| Matrix<br>Notes Human he<br>not exceed | alth or the environ<br>d levels that are pr                                    | ment has been exposed to<br>otective of human health<br>violation.           | o insignificant amounts<br>or environmental recep  | of pollutants which optors as a result of th | do e   |
|  | CONTRACT CONTRACT  | Marchaellan (12)   | Adjustmen  | <b>t</b> \$9,0                               | 00   |
|  | 23 * 38 ft 21 a r 0 6 t 18 r 1. f 2 r 18 r 2 r 2 r 2 r 2 r 2 r 2 r 2 r 2 r 2 r | 27g. 10.5 g. 27 27 38 38 38 50 7 44 5 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4        | A STATE OF THE STA | ***  | £4,000   |
| , characteristics and the second       |  |  |  |  | \$1,000  |
| Violation Events                       | PERMINIST  | and Market Burger (12)   | SHIPE CHARGOSTON   |  | MAIN .   |
|  | T-   | 1  |  |  | MADDINERPOWOOD   |
| Number of \                            | /iolation Events   | 3  | 183 Number o   | of violation days                            | BERNETONOUS  |
| mark only on<br>with an x              | daily monthly quarterly semiannual annual single event                         | x  | ,  | Violation Base Pena                          | slty \$3,000   |
|  |  |  |  |  |  |
|  |  | Three quarterly events ar  | e recommended.   |  |  |
| Economic Benefit (EB) for t            | his violation  |  | Statuto  | ry Limit Test                                |  |
| Estima                                 | ed EB Amount   | \$172  | Violat   | ion Final Penalty To                         | otal \$4,650   |
|  | l  |  |  |  |  |
|  |  | This violation   | Final Assessed Pena  | ity (adjusted for lim                        | its) \$4,650   |

| Item Cost<br>o commas or \$               | Date Required                           | Final Date   | Yrs  |  | 5.0<br>Onetime Costs | Depreciation<br>15<br>EB Amount                         |
|---|---|--|--|--|----------------------|---|
|   |   |  | Yrs  | Interest Saved   | Onetime Costs        |   |
|   |   |  | DATE:  |  |                      | EB Amount   |
| ocommas or \$                             | Palenderroll                            | Dens Allkania  |  |  |                      |   |
| T. C. | TAKOMBARKANSHIAN TANAHAN IN             |  |  | PERSONAL PROPERTY AND IN   | navulka ee ee ee ee  |   |
| V. Leighbar                               |   |  | Satisfy with   | \$2525950035597.1 mini2.6  |                      | 1   |
|   |   | Marina - Esperante   |  | in the second of |                      |   |
| Janear Regarder St.                       | 1                                       | [a]) Ya  | 0.0  | \$0  | \$0                  | \$0   |
|   |   |  | 0.0  | \$0  | \$0                  | \$0   |
|   |   | of telephone and the   |  | \$0  | \$0                  | \$0   |
| La Sira no second                         |   | Backs Sign   | 0.0  | \$0 .  | \$0                  | \$0   |
| a Basalan - A                             | And the Co. St. Co.                     | 947 Tig (3) E. Z Language A. T. L.   | 0,0  | \$0  | n/a                  | \$0   |
|   | - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 |  | 0.0  | \$0  | n/a                  | \$0   |
|   |   |  | 0.0  | \$0  | n/a .                | \$0   |
|   |   | Programme and the second   | 0,0  | \$0  | n/a                  | \$0   |
| PROPERTY.                                 |   |  | 0.0  | \$0  | n/a                  | \$0   |
| \$2,000                                   | 30-Apr-2006                             | 16-Jan-2008  | 1.7  | \$172  | n/a                  | \$172   |
| exceedance                                | s. Date required is                     |  |  |  |                      |   |
| ANN                                       | IUALIZE [1] avoide                      | d costs before e   | ntering  | item (except for   | one-time avoided o   | osts)   |
|   |   |  | 0.0  | , \$0  | \$0                  | \$0   |
| Sane and                                  |   |  | 0,0  | \$0  |                      | \$0   |
| 19-14-73 HIST                             | 343                                     |  | ****   |  |                      | \$0   |
|   |   |  | 107.17   |  |                      | \$0   |
| AND THE STREET, STREET                    | The second of the second of             |  | ll 0.0   | \$0  | \$0                  | \$0   |
| nicky groundings day                      | الغيبية وتستانة والتألوث فنتقال سياك    | Commence of the contract of th | Millio Coc attitutore  |  |                      |   |
|   |   |  | 0.0  | \$0<br>\$0   | \$0<br>\$0           | \$0<br>\$0  |
|   | exceedance<br>ANN                       | The estimated cost for addlexceedances. Date required is  ANNUALIZE [1] avoide   | The estimated cost for additional oversight at exceedances. Date required is the date the noncino community of the costs before example 1 avoided costs before example 1 avoided costs before example 1 avoided costs before | 0.0    | 0.0 \$0              | 0,0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |

| Screening Da   | <b>te</b> 16-May-2007  |  | Docket No. 2007-078  | 86-MWD-E   | PCW                         |
|--|--|--|--|--|-----------------------------|
| Responde   | <b>nt</b> Texas Departn  | nent of Criminal Justice   | Je   | st Policy  | Revision 2 (September 2002) |
| Case ID N  |  |  |  |  | PCW Revision April 26, 2007 |
| Reg. Ent. Reference N  | o. RN102320322   |  |  |  |                             |
| Media [Statu   | e] Water Quality   |  |  |  |                             |
| Enf. Coordinate  |  | Caille   |  |  |                             |
| Violation Num  |  |  |  |  | -1                          |
| Rule Cite Violation Descript   | Failed to su<br>standard uni<br>Ammonia N  | Code § 305.125(1), TPD<br>Reporting Requiren<br>bmit the parameter data o<br>tts, Total Suspended Solid<br>itrogen daily average for t<br>cumented during a record   | nents No. 1 for Outfall 00<br>n the DMR for the pH miles daily average and max<br>the monitoring period end  | nimum and maximum<br>kimum single grab and<br>ling April 30, 2006, as  | id .                        |
| >> Environmental, Proper   | y and Human I  |  |  | Base Penal   | \$10,000                    |
| Rele<br>OR Ac<br>Poter   | ual  | Harm<br>Moderate Minor   | Percent  | 0%   | •                           |
| >>Programmatic Matrix  | all a construction of the latest   | Secretary of the second  | SERVICE SERVICES   |  |                             |
| Falsificat   | on Major   | Moderate Minor   | <b>-</b> .   |  |                             |
| A PAINT OF THE PAI |  | x  | Percent  | 1%   |                             |
| Matrix<br>Notes  |  | 30% of the rule require  | ment was not met.  | nt \$9,9   | 000                         |
|  |  |  |  |  |                             |
|  |  |  |  |  | \$100                       |
| Articles: Articles   |  |  | START STARTS   | n a said a s |                             |
| Violation Events   | A CONTRACTOR   | and the second s | A Complete Company   |  |                             |
| Number o   | Violation Events   | 1 1  | 380 Number   | of violation days  |                             |
| mark only<br>with an   | daily daily monthly quarterly  | x  |  | Violation Base Penal   | \$100                       |
|  |  | One single event is  | recommended.   |  |                             |
| Economic Benefit (EB) fo   | 2000 March 1997 (1997 1997 1997 1997 1997 1997 199   | Months and Language of the Commission of the Com | PRAIR CONTRACTOR CONTR | ory Limit Test   |                             |
| Estin  | ated EB Amount   | \$1  | 3 Viola  | tion Final Penalty To  | tal \$155                   |
|  | · · · · · · · · · · · · · · · · · · ·  | This violation   | on Final Assessed Pena   | alty (adjusted for limi  | ts) \$155                   |
|  | Parameter Communication (Communication Communication Commu |  |  | apturet fixedisas leiches fire   |                             |

|  | lykana <b>E</b>  | conomic i  | 3enefit W                    | orks                                       | sheet  | 物识别的词  |   |
|--|--|--|------------------------------|--|--|--|---|
|  |  | ent of Criminal Jus  | tice                         |  | Jester Unit 1  | or a finisher.   |   |
| Case ID No   | 160  |  |                              |  |  |  |   |
| eg. Ent. Reference No  |  |  |                              |  | Service .  | Physical and deliver areas   |   |
|  | Water Quality  |  |                              |  |  | Percent Interest   | Years of  |
| Violation No   | . 2  |  |                              |  | and the second second  | The state of the s | Depreciation  |
|  | e a let followere e  |  | NECT Messagn                 | Maria Garage                               | Pic 1 c I la dalla   | 5,0  | 15  |
|  | Item Cost  | Date Required  | Final Date                   | Yrs  | Interest Saved   | Onetime Costs  | EB Amount   |
| ltem Description   | No commas or \$  |  | and the property of          | girini (Proj.)                             |  | 21 17 (1982)<br>21 17 (1982)   | i i   |
|  | A RES  |  | egasponacione de deservir de | Kalanday                                   | aggerana, s. h. e. a. a. s. s. s. s.   | marin Barria administra  |   |
| Delayed Costs  | Transactor -   | · · · · · · · · · · · · · · · · · · ·  |                              | 1-2-2                                      |  | T  |   |
| Equipment  |  |  | -                            | 0,0  | \$0  | \$0  | \$0   |
| Buildings  | 11444 [1316]   |  |                              | 0,0  | \$0<br>\$0   | \$0<br>\$0   | \$0<br>***  |
| Other (as needed)  | Unit in the second   | ii, itali, dhi dha   |                              | 0.0  | \$0  | \$0<br>\$0   | \$0<br>\$0  |
| Engineering/construction   | 10   | Landing Later 1 4 Li   |                              | 0.0  | \$0  | φυ<br>n/a  | \$0   |
| Land Record Keeping System   | 1  | The state of the s |                              | 0.0  | \$0  | n/a  | \$0   |
| Training/Sampling  | -  |  | <u> </u>                     | 0,0  | \$0  | n/a  | \$0   |
| Remediation/Disposal   |  |  |                              | 0.0  | \$0  | n/a  | \$0   |
| Permit Costs   | Linear State of the Control of the C |  |                              | 0,0  | \$0  | n/a  | \$0   |
| Other (as needed)  | \$250  | 30-Apr-2006  | 15-May-2007                  | 1.0  | \$13   | n/a  | \$13  |
| . , , ,  | The satimated  |  | ili anheditika data          | on a Di                                    |  |  |   |
| Notes for DELAYED costs  |  | cost associated wi<br>ended for the re   | quired DMR data              | and the                                    | MR. The date required in all date is the date.   | uired is the date the ate of compliance.   | reporting period  |
| Notes for DELAYED costs  Avoided Costs   |  | cost associated wi<br>ended for the re   | quired DMR data              | and the                                    | MR. The date required in the date is the date.   | uired is the date the ate of compliance.   | reporting period  |
| ,  |  | cost associated wi<br>ended for the re   | quired DMR data              | and the                                    | MR. The date required that date is the distribution of the distrib | uired is the date the ate of compliance.   | reporting period  |
| Avoided Costs Disposal Personnel   |  | cost associated wi<br>ended for the re   | quired DMR data              | ntering 0.0 0.0                            | MR. The date requisional date is the distribution in the distribut | uired is the date the ate of compilance.  one-time avoided \$0.00000000000000000000000000000000000   | reporting period  |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling   | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering 0.0 0.0 0.0                        | MR. The date required final date is the distribution in the distri | one-time avoided  \$0 \$0  | reporting period  |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment  | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering 0.0 0.0 0.0 0.0 0.0                | MR. The date requirement of the date is th | one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0   | reporting period  costs)  \$0  \$0  \$0  \$0                                  |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]  | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering<br>0.0<br>0.0<br>0.0<br>0.0<br>0.0 | MR. The date requirement of the date is th | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs) \$0 \$0 \$0 \$0 \$0 \$0                              |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                   | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering                                    | MR. The date required final date is the distinct for \$0.50.50.50.50.50.50.50.50.50.50.50.50.50  | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0             |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]  | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering<br>0.0<br>0.0<br>0.0<br>0.0<br>0.0 | MR. The date requirement of the date is th | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs) \$0 \$0 \$0 \$0 \$0 \$0                              |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                   | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering                                    | MR. The date required final date is the distinct for \$0.50.50.50.50.50.50.50.50.50.50.50.50.50  | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0             |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]                   | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering                                    | MR. The date required final date is the distinct of the dist   | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0             |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering                                    | MR. The date required final date is the distinct of the dist   | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0                 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | s ANN  | cost associated wi<br>ended for the re   | quired DMR data              | ntering                                    | MR. The date required final date is the distinct of the dist   | one-time avoided  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0  | reporting period  costs)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |

## **Compliance History**

Customer/Respondent/Owner-Operator: CN601550650 Texas Department of Criminal Justice Classification: AVERAGE Rating: 2.66 TDCJ JESTER 1 UNIT Classification: AVERAGE Site Rating: 0.44 RN102320322 Regulated Entity: ID Number(s): WASTEWATER **PERMIT** WQ0011475001 TPDES0031674 WASTEWATER **PERMIT PERMIT** TX0031674 WASTEWATER FG0589G AIR NEW SOURCE PERMITS ACCOUNT NUMBER AIR NEW SOURCE PERMITS REGISTRATION 53644 42762 AIR NEW SOURCE PERMITS PERMIT 56147 REGISTRATION PETROLEUM STORAGE TANK REGISTRATION WQ0011475001 WASTEWATER LICENSING **LICENSE** LOCATED ON THE N BANK OF OYSTER CREEK. Rating Date: 9/1/2006 Repeat Violator: NO Location: APPROX. 1700 FT SW OF THE POINT WHERE THE GRAND PARKWAY INTERSECTS OYSTER CREEK IN FORT BEND COUNTY **REGION 12 - HOUSTON** TCEQ Region: May 14, 2007 Date Compliance History Prepared: Agency Decision Requiring Compliance History: Enforcement May 14, 2002 to May 14, 2007 Compliance Period: TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History Name: Cari-Michel La Caille Phone: 512-239-1387 **Site Compliance History Components** 1. Has the site been in existence and/or operation for the full five year compliance period? 2. Has there been a (known) change in ownership of the site during the compliance period? No N/A 3. If Yes, who is the current owner? 4. if Yes, who was/were the prior owner(s)? N/A N/A 5. When did the change(s) in ownership occur? Components (Multimedia) for the Site: Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. Any criminal convictions of the state of Texas and the federal government. В. Chronic excessive emissions events. D. The approval dates of investigations. (CCEDS Inv. Track. No.) 1 06/04/2002 (177926)2 07/05/2002 (177928)3 07/30/2002 (177930)4 08/28/2002 (177932)5 10/01/2002 (177934)6 11/15/2002 (177936)7 01/02/2003 (177939)8 03/10/2003 (177941)9 04/23/2003 (33198)

10 05/29/2003

11 05/29/2003

12 09/12/2003

13 09/25/2003

14 10/07/2003

15 11/20/2003

16 12/11/2003

17 01/26/2004

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18 03/02/2004
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19 03/25/2004
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21 07/28/2004
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22 08/11/2004
                   (355464)
23 08/19/2004
                   (355465)
24 08/22/2004
                   (355466)
25 08/25/2004
                   (355468)
26 09/14/2004
                   (355467)
27 04/07/2005
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28 04/07/2005
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29 04/07/2005
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30 04/07/2005
                   (421657)
31 04/07/2005
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                   (522370)
39 09/30/2005
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40 10/10/2005
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41 10/11/2005
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43 12/01/2005
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44 12/20/2005
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46 02/10/2006
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47 03/14/2006
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48 04/19/2006
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49 05/18/2006
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50 06/12/2006
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                   (547066)
55 12/01/2006
                   (547067)
56 12/29/2006
                   (547068)
57 05/09/2007
                   (555513)
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#### Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

Date 04/22/2003 (33198)

Self Report? Classification Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1).

Rgmt Prov:

Description:

OP Effluent Limitations, Number 2

Self Report? NO

Failure to maintain permitted effluent chlorine residual maximum.

Citation:

Minor

Description:

30 TAC Chapter 319, SubChapter A 319.11(b) Failure to conduct required quality control measures for chlorine residual analyis.

NO Self Report?

Classification Moderate

Classification

Citation: Rqmt Prov: 30 TAC Chapter 305, SubChapter F 305.125(1) PERMIT 11475-001

Description:

Failure to ensure that only certified personnel perform the chlorine residual test.

Date 06/30/2003 (303703)

Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date 07/31/2003 (303704)

Self Report?

Classification Moderate

Moderate

Citation:

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date 01/31/2004 (303701)

Moderate Self Report? Classification 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter Date 07/31/2005 (442587)Classification Moderate Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter (471733) Date 12/31/2005 Classification Moderate Self Report? Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter Description: Date 04/30/2006 (500277)Classification Moderate Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter Date 08/31/2006 (547065)Classification Moderate Self Report? YES 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter (547066)Date 09/30/2006 Classification Moderate Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter Description: (547067)Date 10/31/2006 Self Report? Classification Moderate 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter Description: (547068)Date 11/30/2006 Classification Moderate Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter Date 12/31/2006 Classification Moderate Self Report? 30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter Description: Environmental audits N/A Type of environmental management systems (EMSs). Voluntary on-site compliance assessment dates. Participation in a voluntary pollution reduction program. N/A Early compliance. N/A Sites Outside of Texas

N/A

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# Effluent Violation Table for Violation No. 1 Texas Department of Criminal Justice Jester Unit 1 TPDES Permit No. WQ0011475001

| Permitted   |          | Monitoring Period End Date |          |          |          |          |  |  |  |
|---|----------|----------------------------|----------|----------|----------|----------|--|--|--|
| Effluent Limits Outfall 001A                      | 04/30/06 | 8/31/06                    | 09/30/06 | 10/31/06 | 11/30/06 | 12/31/06 |  |  |  |
| DO<br>5.0 Min.<br>mg/L                            | С        | 1.9                        | С        | С        | С        | 4.6      |  |  |  |
| Total<br>Residual<br>Chlorine<br>1.0 Min.<br>mg/L | С        | 0.6                        | 0.9      | 0.8      | 0.9      | 0.9      |  |  |  |
| Total<br>Residual<br>Chlorine<br>4.0 Max.<br>mg/L | 6.1      | 6.1                        | С        | 5.7      | С        | C        |  |  |  |

| mg/L = Milligrams per | C= Compliant | DO = Dissolved Oxygen |
|-----------------------|--------------|-----------------------|
| liter                 |              |                       |

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



| IN THE MATTER OF AN      | § . | BEFORE THE            |
|--------------------------|-----|-----------------------|
| ENFORCEMENT ACTION       | §   |                       |
| CONCERNING               | §   | TEXAS COMMISSION ON   |
| TEXAS DEPARTMENT OF      | §   |                       |
| CRIMINAL JUSTICE         | §   |                       |
| RN102320322, RN102314671 | §   | ENVIRONMENTAL QUALITY |

# AGREED ORDER DOCKET NO. 2007-0786-MWD-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the Texas Department of Criminal Justice ("TDCJ") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and TDCJ appear before the Commission and together stipulate that:

- 1. TDCJ owns and operates wastewater treatment facilities at the following locations (the "Facilities"):
  - a. On the north bank of Oyster Creek, approximately 1,700 feet southwest of the point where the Grand Parkway intersects Oyster Creek in Fort Bend County, Texas ("Facility 1"); and
  - b. Within the Beauford H. Jester State Prison Farm property, approximately 8,000 feet north of the intersection of U.S. Highway 90A and Harlem Road, approximately 5.0 miles west of Sugar Land in Fort Bend County, Texas ("Facility 2").
- 2. TDCJ has discharged wastewater into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
- 3. The Commission and TDCJ agree that the Commission has jurisdiction to enter this Agreed Order, and that TDCJ is subject to the Commission's jurisdiction.

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- 4. TDCJ received notice of the violations alleged in Section II ("Allegations") on or about May 14, 2007.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by TDCJ of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Fourteen Thousand Three Hundred Sixty-Five Dollars (\$14,365) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Two Thousand Eight Hundred Seventy-Three Dollars (\$2,873) is deferred contingent upon TDCJ's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If TDCJ fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require TDCJ to pay all or part of the deferred penalty. Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492) will be conditionally offset by TDJC's completion of a Supplemental Environmental Project.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and TDCJ have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that on May 15, 2007, TDCJ submitted to the TCEQ the required parameter data for the monitoring period ending April 30, 2006 for Facility 1.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that TDCJ has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

As owner and operator of the Facilities, TDCJ is alleged to have:

1. Failed to comply with the permitted effluent limits for Facility 1, in violation of 30 Tex. ADMIN. CODE § 305.125(1), Tex. WATER CODE § 26.121(a), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011475001, Effluent Limitations and Monitoring Requirements Nos. 2 and 6 for Outfall 001A, as documented during a record review conducted on March 29, 2007, as indicated in the table below.

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| Effluent Violation Table Texas Department of Criminal Justice TPDES Permit No. WQ0011475001 |          |  |     |     |     |     |  |  |  |
|---|----------|--|-----|-----|-----|-----|--|--|--|
| Permitted Effluent Limits Outfall 001A  | 04/30/06 | Monitoring Period End Date  04/30/06 8/31/06 09/30/06 10/31/06 11/30/06 12/31/06 |     |     |     |     |  |  |  |
| DO<br>5.0 Min.<br>mg/L  | С        | 1.9  | C   | . C | С   | 4.6 |  |  |  |
| Total Residual Chlorine 1.0 Min. mg/L   | C        | 0.6  | 0.9 | 0.8 | 0.9 | 0.9 |  |  |  |
| Total<br>Residual<br>Chlorine<br>4.0 Max.<br>mg/L   | 6.1      | 6.1  | С   | 5.7 | С   | C   |  |  |  |

| 2. | Failed to submit the parameter data on the Discharge Monitoring Report for the pH minimum and |
|----|---|
|    | maximum standard units, Total Suspended Solids daily average and maximum single grab and      |
|    | Ammonia Nitrogen daily average for the monitoring period ending                               |
|    | April 30, 2006 for Facility 1, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES     |
|    | Permit No. WQ0011475001, Monitoring and Reporting Requirements No. 1 for Outfall 001A, as     |
|    | documented during a record review conducted on March 29, 2007.                                |

DO = Dissolved Oxygen

C= Compliant

mg/L = Milligrams per

liter

3. Failed to comply with the permitted effluent limits for Facility 2, in violation of 30 Tex. ADMIN. CODE § 305.125(1), Tex. Water Code § 26.121(a), and TPDES Permit No. WQ0011475003, Effluent Limitations and Monitoring Requirements Nos. 1, 2, 3 and 6 for Outfall 001A, as documented during a record review conducted on April 25, 2007, as indicated in the table below.

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|                                       | Effluent Violation Table Texas Department of Criminal Justice TPDES Permit No. WQ0011475003 |          |          |                 |            |           |          |          |          |          |
|---------------------------------------|---|----------|----------|-----------------|------------|-----------|----------|----------|----------|----------|
| Permitted                             |   |          |          | N               | Monitoring | Period En | d Date   |          |          |          |
| Effluent<br>Limits<br>Outfall<br>001A | 02/28/06  | 04/30/06 | 05/31/06 | 07/31/06        | 08/31/06   | 09/30/06  | 10/31/06 | 11/30/06 | 12/31/06 | 01/31/07 |
| DO<br>6.0 Min.<br>mg/L                | С   | C        | C        | 4.0             | 5.6        | С         | С        | С        |          | 5.9      |
| pH<br>9.0 Max,<br>SU                  | С   | C        | C        | . <b>C</b> (4.) | C          | C · »,    | 9.7      | С        | <b>C</b> | <b>C</b> |
| TSS Daily<br>Avg. 15<br>mg/L          | С   | 21.75    | С        | С               | С          | С         | С        | С        | C        | C        |
| Total Residual Chlorine 2.0 Min. mg/L | C.  | 0.8      | 0.5      | C               | 0.0        | 0.8       | С        | C        | С        | C        |
| Total Residual Chlorine 4.0 Max. mg/L | 5.9   | С        | С        | С               | С          | С         | С        | 5.0      | 5.4      | C        |

| SU= Standard Units          | TSS=Total Suspended Solids | DO = Dissolved Oxygen |
|-----------------------------|----------------------------|-----------------------|
| mg/L = Milligrams per liter | C= Compliant               |                       |

#### **III.DENIALS**

TDCJ generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that TDCJ pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and TDCJ's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas Department of Criminal Justice, Docket No. 2007-0786-MWD-E" to:

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Texas Department of Criminal Justice DOCKET NO. 2007-0786-MWD-E Page 5

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. TDCJ shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with Tex. Water Code § 7.067. As set forth in Section I, Paragraph 6 above, Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492) of the assessed administrative penalty shall be offset with the condition that TDCJ implement the SEP defined in Attachment A, incorporated herein by reference. TDCJ's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon full completion of all provisions of the SEP agreement.
- 3. It is further ordered that TDCJ shall undertake the following technical requirements:
  - a. Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with effluent limits of TPDES Permit No. WQ0011475001 and TPDES Permit No. WQ0011475003. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

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- 4. The provisions of this Agreed Order shall apply to and be binding upon TDCJ. TDCJ is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
- 5. If TDCJ fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, TDCJ's failure to comply is not a violation of this Agreed Order. TDCJ shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. TDCJ shall notify the Executive Director within seven days after TDCJ becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by TDCJ shall be made in writing to the Executive Director. Extensions are not effective until TDCJ receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against TDCJ in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 9. Under 30 Tex. ADMIN. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to TDCJ, or three days after the date on which the Commission mails notice of the Order to TDCJ, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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Toxas Dopartment of Criminal Justice DOCKET NO. 2007-0786-MWD-B Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Per the Executive Director

10/3/0

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I finither acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- \* Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penaltics, and/or attorney fees, or to a collection agency;
- Increased penaltics in any firture enforcement actions;
- Automatic retieval to the Attorney General's Office of any fixure enforcement actions; and
- . TCEQ acking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in original prosecution.

Signaturo

Date

CHARLES MARSH

Name (Printed or typed)
Authorized Representative of

Toxas Department of Criminal Justice

CHICE FINANCIAL OFFICER

Instructions: Send the original, signed Agreed Order with pensity payment to the Pinancial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

SEP-19-2007 02:04PM From: 512 239 0134

ID: FACILITIES

# Attachment A Docket Number: 2007-0786-MWD-E

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Texas Department of Criminal Justice

Payable Penalty Amount: Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492)

SEP Amount: Eleven Thousand Four Hundred Ninety-Two Dollars (\$11,492)

Type of SEP: Pre-approved

Third-Party Recipient: Texas Association of Resource Conservation and Development

Areas, Inc. ("RC&D")-Abandoned Tire Clean-Up

**Location of SEP:** Fort Bend County

The Texas Commission on Environmental Quality ("TCEQ.") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

#### 1. Project Description

#### A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to clean-up sites where tires have been disposed of illegally. Eligible sites will be limited to those where a responsible party cannot be found and where reasonable efforts have been made to prevent the dumping. SEP monies will be used to pay for the direct cost of collecting and disposing of tires. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

#### B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing for the proper disposal of tires and by reducing health threats associated with illegally dumped tires. Illegal tire dumpsites can become breeding grounds for mosquitoes and rodents which carry disease. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of surface water, ground water, and soil.

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Texas Department of Criminal Justice Agreed Order - Attachment A

#### C. <u>Minimum Expenditure</u>

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc. 1716 Briarcrest Drive, Suite 510 Bryan, Texas 77802-2700

# 3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

#### 4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Financial Administration Division, Revenues Attention: Cashier, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

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Texas Department of Criminal Justice Agreed Order – Attachment A

# 5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

# 6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

# 7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

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